

RESOLUTION A

(Approving the Special Use Permit Application)

A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 500 FINLEY GOLF COURSE ROAD (PROJECT #SUP-24-1) (2025-01-29/R-4)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council finds that a Special Use Permit application submitted by Daniel Widis, on behalf of the University of North Carolina at Chapel Hill, for development located at 500 Finley Golf Course Road on a portion of the property identified as Orange County Property Identifier Number 9798-33-3326, if developed according to the plans dated November 6, 2024, and the stipulations listed below would, per LUMO 4.5.2:

- 1) Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
- 2) Comply with all required regulations and standards of the Land Use Management Ordinance;
- 3) Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and
- 4) Conform to the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the Comprehensive Plan.

MODIFICATIONS TO REGULATIONS

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that it finds, in this particular case, that the proposed development with the following requested modifications to regulations satisfies public purposes to an equivalent or greater degree:

- 1) LUMO Section 5.7.2 - Tree Canopy Coverage:** The required tree canopy coverage for the project is reduced from 40 percent to 30 percent and shall be based on the land area within the "project area" as designated on the plans dated November 6, 2024, rather than the net land area of the entire parcel on which the project is located.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the project involves development of a relatively small portion a large parcel used primarily as a golf course and driving range. Because of the open spaces needed for such uses, it is not feasible to provide the required tree canopy coverage for the entire parcel.

- 2) LUMO Section 5.9.7 – Minimum Off-Street Parking Spaces Required:** Reduce the amount of required parking as indicated below.

Standard	Requirement
Minimum Number of Vehicular Parking Spaces	1 per 1,000 square feet of floor area

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the project is expected to generate low demand for parking and it is in the Town's interests to minimize the amount of parking in new development.

- 3) LUMO Section 5.9.7 – Bicycle Parking Spaces Required:** Reduce the amount of required parking as indicated below.

Standard	Requirement
Minimum Number of Bicycle Parking Spaces Required	6 spaces Spaces may be located within the project area or at other facilities within the same parcel.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the project is expected to generate low demand for bicycle parking.

- 4) LUMO Section 5.6.6 – Required Buffers:** No new landscaped buffers are required to be planted with the project authorized under this permit.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the project is an addition to and part of an existing golf course which fully surrounds the project. Additionally, it would not be feasible or beneficial to require the full golf course to plant a new landscaped buffer.

The general requirement for landscaped buffers is not waived for the entire parcel. Future projects on the parcel may be required to provide landscaped buffers unless the requirement is waived or otherwise modified.

STIPULATIONS SPECIFIC TO THE DEVELOPMENT

- Expiration of Special Use Permit: Construction or other activity authorized by this permit shall be substantially commenced by a date precisely 2 years from the date of this approval or this permit shall expire. The deadline for completion of construction shall be established by the Zoning Compliance Permit(s) issued pursuant to this approval. [LUMO 4.5.5]
- Consent to Conditions: This approval is not effective until the property owner(s) provides written consent to the approval. Written consent must be provided within ten (10) business days of enactment by the Town Council.
- Land Use Intensity: This Special Use Permit authorizes the following:

Land Use Intensity	
Permitted Uses and Activities	All uses permitted in the Office/Institutional-2 Zoning District; development exceeding 40,000 sq. ft. in land disturbance.
Gross Land Area	12,303,391 sq. ft.
Project Area	325,624 sq. ft.
Maximum Floor Area in Project Area	14,000 sq. ft. in addition to any existing floor area.
Dimensional Regulations	Per LUMO
Minimum and Maximum Vehicular Parking	Maximum: Per LUMO Minimum: 1 space per 1,000 sq. ft. of floor area per the above modification
Minimum Bicycle Parking	6 spaces in addition to any existing per the above modification
Maximum Total Impervious Surface	Per LUMO, 70% of parcel GLA
Maximum Land Disturbance	165,000 sq. ft.
Resource Conservation District Maximum Land Disturbance	900 sq. ft. in Upland Zone
Resource Conservation District Maximum Impervious Surface	150 sq. ft. in Upland Zone
Steep Slopes Maximum Land Disturbance	Per LUMO
Minimum Tree Canopy Coverage	30% of Project Area per the above modification

The requirements listed in this land use intensity table do not apply to or limit future projects that (1) do not independently require a Special Use Permit and (2) are located outside of the project area.

4. Modifications to Land Use Intensity: This approval establishes minimums and maximums as indicated in the above Land Use Intensity Table. These amounts apply to the entire project site, including areas within the Resource Conservation District (RCD) and areas containing steep slopes. These amounts may be modified according to the criteria and procedures established in LUMO 4.5.4. Additional modifications to amounts in the Land Use Intensity table shall be considered as follows:
 - a. A change in the net land area or gross land area shall constitute a minor modification, provided the land area is established by a survey or legal description.
 - b. An increase in the RCD maximum impervious surface or RCD maximum land disturbance up to five percent shall constitute a minor modification. An increase over five percent shall constitute a major modification.
 - c. An increase in the maximum total impervious surface or maximum land disturbance up to five percent shall constitute a minor modification. An increase over five percent shall constitute a major modification. All increases shall be considered cumulatively.

Environment

5. New and Replacement Trees: All new and replacement trees shall measure at least 2.5 inches diameter at breast height (DBH) at time of planting.
6. Stormwater Performance Guarantee: A stormwater performance and maintenance guarantee in an amount satisfiable to the Town Manager shall be provided to meet the requirements of LUMO 4.9.3 prior to the approval of Constructional plans. The performance guarantees and maintenance guarantees shall be satisfactory as to their form and manner of execution, and as to the sufficiency of their amount in securing the satisfactory construction, installation, or maintenance of the required stormwater control measure. The performance surety shall be an amount equal to one hundred and twenty-five percent (125%) of the total cost of uncompleted stormwater control measure(s) and conveyances prior to final plat recordation. The total cost of the storm water control measure(s) and conveyance(s) shall include the value of all materials, piping and other structures, seeding and soil stabilization, design and engineering, grading, excavation, fill, and other work. The developer shall submit unit cost information pertaining to all storm water control measure(s) and/or bids from the grading contractor hired to perform the work and any change orders related thereto as a method to determine the basis for cost of the work. The final cost determination shall be made by the Stormwater Management Division, taking into consideration any additional costs as deemed necessary for completion of the stormwater control measure(s) and conveyance(s).

Upon completion of the stormwater control measures(s) and other improvements and acceptance by the Town after final site inspection, the one hundred and twenty-five percent (125%) of the performance surety shall be released to the developer and a maintenance bond in an amount of twenty-five (25) percent of the construction cost estimate shall submitted by the developer prior to the issuance of certificate of occupancy. No sooner than one year after the recording date of the deed(s), easements and maintenance agreement, the owner may request release of the remainder of the maintenance bond. Upon request by the owner, the Stormwater Management Division shall inspect the storm water control structure(s) to determine that the storm water measure(s) are performing as required by this Ordinance. The Stormwater Management Division, upon determining that the storm water control(s) are performing as required by this Ordinance, and after any repairs to the storm water control structure(s) are made by the owner, shall release the remaining maintenance bond.

Following the release of the maintenance bond, the developer and/or Homeowners Association shall continue to have a responsibility and obligation to inspect and maintain the stormwater infrastructure as required by the Town's Land Use Management Ordinance. [LUMO 4.9.3]

Transportation, Access, and Connectivity

7. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before approval of a Zoning Final Inspection.
8. Pavement Markings: Any pavement markings proposed within the public street rights-of-way shall be long life thermoplastic. Pavement markers shall be installed if they previously existing on the roadways.

9. Fire Apparatus Access for Chapel Hill Fire Department: All fire department access determinations shall be based upon Chapel Hill Fire Department apparatus specifications (data specifications provided by Office of the Fire Marshal/Life Safety Division) and field verification. All proposed fire department access designs shall be reviewed and shall also pass field inspection.
10. Bicycle Parking: Bicycle parking spaces must comply with the Spring 2015 Association of Pedestrian and Bicycle Professionals Guidelines.

Miscellaneous

11. Town Design Manual: Except as specified elsewhere in this Resolution, the developer shall comply with all standards of the Public Works Engineering Design Manual, as applicable to the project.
12. OWASA Approval: Prior to issuance of the first Zoning Compliance Permit for vertical construction, the developer shall obtain OWASA approval of construction drawings.
13. State or Federal Approvals: Any required State or federal approvals, permits, or encroachment agreements, including but not limited to NCDOT approvals and 401/404 permits, shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit.
14. Detailed Plans: Prior to the issuance of a Zoning Compliance Permit, final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved by the Town Manager. Such plans shall conform to the district-specific plan approved by this application and demonstrate compliance with all applicable regulations and the design standards of the Chapel Hill Land Use Management Ordinance and the Public Works Engineering Design Manual. [LUMO 4.5.3]
15. Phasing Plan: If phasing of the project is proposed, then the developer shall provide a Phasing Plan as part of the Zoning Compliance Permit. The Phasing Plan also shall detail which public improvements and stormwater management structures will be completed in each phase prior to requesting a Zoning Final Inspection. Construction for any phase shall not begin until all public improvements in previous phases have been completed, and a note to this effect shall be provided on the final plans.
16. Cumulative Tracking: Each Final Plans Zoning Compliance Permit application shall include a cumulative tally of the existing and proposed:
 - a. Floor area
 - b. Tree canopy
 - c. Impervious surface
 - d. Land disturbance
 - e. Resource Conservation District (RCD) disturbance
 - f. Bicycle parking spaces
 - g. Vehicular parking spaces (including electric vehicle parking space)
17. Community Design Commission (CDC) Review: The Community Design Commission shall review building elevations, site lighting, and the location and screening of all HVAC equipment prior to issuance of a Zoning Compliance Permit for a particular phase or

building. CDC review shall be limited to no more than one (1) meeting per Zoning Compliance Permit. After construction of all buildings is completed, CDC review is not required for subsequent changes to building elevations or site lighting that do not require a Zoning Compliance Permit.

18. Construction Sign Required: Prior to starting any land-disturbing activity, the developer shall post a construction sign at the development site that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. The sign shall be non-illuminated and shall consist of light letters on a dark background. Prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager. [LUMO 5.14.4]
19. Street Names and Numbers: The development's streets and house/building numbers shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit for street construction and/or building construction.
20. Vested Right: This Special Use Permit constitutes a site-specific vesting plan (and is defined as such in the Chapel Hill Land Use Management Ordinance) establishing a vested right as provided by N.C.G.S. Section 160D-108.1 and the Chapel Hill Land Use Management Ordinance. During the period of vesting this permit may be subject to subsequent changes to Town regulations to the extent such regulations have been enacted under authority other than the Town's zoning authority.
21. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
22. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.
23. Not-Comprehensive: The listing of these specific conditions applicable to this Permit is not intended to be comprehensive and does not exclude other state and local laws and regulations which may be applicable to this Permit and development project.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Special Use Permit for the UNC Chapel Hill – Golf Training Facility at 500 Finley Golf Course Road.

This the 29th day of January, 2025.